

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TORAN PETERSON,

Plaintiff,

CIVIL ACTION NO. 07-13524

v.

DISTRICT JUDGE ARTHUR TARNOW

MICHAEL KRAJNIK, et. al.,

MAGISTRATE JUDGE DONALD A. SCHEER

Defendants.

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ORDER GRANTING PLAINTIFF'S MOTION TO FILE AMENDED COMPLAINT
ORDER GRANTING DEFENDANTS' MOTION TO TEMPORARILY STAY DISCOVERY

Plaintiff, while incarcerated at the Ionia Correctional Facility, in Ionia, Michigan was allowed to proceed *in forma pauperis* and filed the instant Complaint, pursuant to 42 U.S.C. § 1983, on August 21, 2007, against six prison officials employed by the Michigan Department of Corrections (MDOC), alleging that they had interfered with his incoming mail. This cause was referred to the Magistrate Judge for all pretrial matters.

Plaintiff filed a Motion to Amend his Complaint on October 4, 2004 (Docket #14). Since the Defendants have not filed a responsive pleading to date, Plaintiff should be allowed to file his Amended Complaint. Plaintiff is ORDERED to file an Amended Complaint encompassing all claims by November 29, 2007. The Amended Complaint should also be served on counsel for defendants.

Once service is completed, the Defendants will be allowed 30 days to file a responsive pleading. Discovery is hereby stayed until preliminary defenses like exhaustion and qualified immunity can be raised by Defendants and resolved by the Court. Harlow v.

Fitzgerald, 457 U.S. 800, 819 (1982). If the case survives summary disposition, the Court will facilitate a telephonic conference call for the purpose of allowing the parties to provide a Final Pretrial Order to the Court.

SO ORDERED

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: November 1, 2007

CERTIFICATE OF SERVICE

I hereby certify on November 1, 2007 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on November 1, 2007. **Toran Peterson.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217